

EXHIBIT 3

Kelly Fildrew's Deposition Transcript

Kelly Fildrew

02/05/2019

1 UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF MICHIGAN

3 SOUTHERN DIVISION

4

5 TEOKA S. WILLIAMS,

6 Plaintiff,

7 -vs-

Case No. 2:18-cv-12522-VAR-MKM

8

Hon. VICTORIA A. ROBERTS

9 BEAUMONT HEALTH,

10 Defendant.

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15 The Deposition of KELLY FILDREW,

16 Taken at 150 W. Jefferson, Suite 100,

17 Detroit, Michigan,

18 Commencing at 11:09 a.m.,

19 Tuesday, February 5, 2019

20 Before Lynda E. Hanson-Pierson, CSR 5476.

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1 Williams said that she made a complaint to report to you
2 that she had been taken off from caring for that
3 patient?

4 A. Yes, from the meeting, yes.

5 Q. So duties that she had been assigned at the start of her
6 shift, she was told she could no longer do based on her
7 race, was that your understanding?

8 A. Based on what Teoka stated in the meeting, yes.

9 Q. Okay. That was her complaint?

10 A. Yes.

11 Q. All right. And was Miss Williams upset about this?

12 MS. DAHLE: Objection to foundation.

13 BY MS. GAFKAY:

14 Q. Well, you verbally were sitting there with her. Did she
15 appear upset about it?

16 A. I don't recall. It was a year and a half ago.

17 Q. Was she concerned about it?

18 A. Concerned, yes.

19 Q. Outside of your Exhibit 3 notes regarding that meeting,
20 do you recall anything else that was said during the
21 meeting other than what you've put in your notes?

22 A. Nothing outside of what I referenced in my notes, no.

23 Q. Okay. Do you have any other -- any other notes or --

24 A. No.

25 Q. -- or any other documents regarding that meeting?

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1 on the title, that's a management position?

2 A. Yes.

3 Q. And individuals in that position supervise other
4 employees, correct?

5 A. Yes.

6 Q. And with regard to Crystal Fell serving as the ACM on
7 midnights on that date in question, with regard to the
8 nurses on the eighth floor, is it your understanding
9 that she would have been the person in charge?

10 A. Yes.

11 Q. At the meeting, according to your notes, Teoka also
12 reported that if either patient in that room put the
13 call light on that she was to tell Crystal, and a
14 different nurse would assist the patients instead of
15 her, did Teoka report that to you at the meeting?

16 A. Yes.

17 Q. Did you understand that Olivia was Caucasian, or is
18 Caucasian?

19 A. No.

20 Q. Do you know that now?

21 A. Based on you stating so. I've never met Olivia.

22 Q. Okay. Did you ever talk to Olivia?

23 A. I don't know her.

24 Q. Have you ever talked to her?

25 A. No.

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1 Q. Okay. In your statement you say Teoka was upset that
2 she was told by Crystal not to provide care to either
3 patient. Do you see that?

4 A. Yes.

5 Q. So did Teoka tell you that she was upset, or could you
6 just visibly see that she was upset as she was telling
7 you what happened?

8 A. I don't recall if it was visual or verbal.

9 Q. Okay. But these are your notes and words, correct?

10 A. Correct.

11 Q. And you chose the word upset, correct?

12 A. Correct.

13 Q. And Teoka also said that once she was removed from doing
14 her job duties that included providing care for those
15 two patients in that room, Olivia had provided care and
16 passed medication instead of her, correct?

17 A. Correct.

18 Q. And you told me who Toni Ward is. Did Toni Ward, at the
19 meeting, state that the ACM, Crystal should have changed
20 the patient assignment at the onset of the incident to
21 another nurse/provider?

22 A. Yes.

23 Q. And you've told me everything that you can recall about
24 the meeting on November 8, 2017?

25 A. Yes.

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1 Q. Based on your testimony -- well, strike that.

2 Let me ask you this; Exhibit 3, I don't know
3 if you've already testified to it, but at least in
4 Exhibit 3 it says in attendance, and there is a list of
5 the people that were there. Were those people all
6 present?

7 A. Yes.

8 Q. During the entire meeting?

9 A. Yes.

10 Q. And it doesn't appear, based on your notes or your
11 testimony, that at anytime did anybody say that Beaumont
12 has a policy where patients requests based on race will
13 not be granted, that was not said, was it?

14 A. No.

15 Q. Are you aware of any policy at Beaumont relating to a
16 circumstance where a patient, as in this circumstance
17 where a patient has requested care based on race?

18 A. No.

19 Q. You would agree that somebody in employee relations, and
20 now in management for human resources, that would be
21 something you would be familiar with?

22 A. No.

23 Q. Well, if a patient is requesting care based on race with
24 regard to the employees at Beaumont, that certainly
25 affects the employee, correct?

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1 MS. GAFKAY: Sure.

2 BY MS. GAFKAY:

3 Q. If a patient is requesting care based on race, and
4 Beaumont is, you know, allowing that, you would agree
5 that would affect the employee's terms of employment,
6 correct?

7 A. Yes.

8 MS. DAHLE: Same objections.

9 BY MS. GAFKAY:

10 Q. The issue with the BLS and the ACLS, was that something
11 that was brought to you initially by Teoka Williams, if
12 you can recall?

13 A. Yes.

14 Q. Okay. And did you understand that she was not -- she
15 was calling Central -- Teoka was calling Central
16 Staffing to get assignments and was not allowed to get
17 assignments because Deb Price was saying that she didn't
18 have her BLS?

19 A. From our conversation, yes.

20 Q. Okay. Did you understand that there were several times
21 that Teoka tried to get assignments through Central
22 Staffing and was unable to do so because of this issue?

23 A. I'm only aware of the time we discussed, I don't know of
24 times outside of that.

25 Q. There was at least one time that she wasn't able to get

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1 record of their conversations.

2 Q. And would that eventually be provided to human resources
3 at some point?

4 A. Yes.

5 Q. Did you ever see anything in writing regarding any from
6 of investigation with regard to the complaint by Teoka
7 Williams concerning the patient?

8 A. No.

9 Q. Do you know if any -- anything in writing exists
10 regarding any investigation regarding Teoka Williams'
11 report of the patient request?

12 A. No, I don't.

13 Q. Did you ever talk to Teoka Williams about the patient
14 request based on race at any other time?

15 A. No.

16 Q. At this -- at the November 8th meeting, do you recall
17 anybody saying that patient requests like this are made
18 all the time?

19 A. No, I don't recall that.

20 Q. Anything about patient requests are honored all the
21 time?

22 A. I don't recall.

23 Q. Do you recall -- do you recall saying anything about
24 patient requests in general, or anything relating to
25 other patient requests that had been made in the past,

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1 or comparing it to other types of situations at the
2 meeting?

3 A. There is only -- from an HR perspective, a situation
4 where something like that would be accommodated would be
5 we have a very large Arabic population, and so on our
6 mother baby OBGYN unit that male nurses for spiritual
7 cultural reasons are not allowed to care for women of
8 Arabic descent with those beliefs. So those would be
9 circumstances that I would be aware of, but nothing
10 regarding race, or sexual orientation, or anything like
11 that would somebody that I'm aware of be removed.

12 Q. So my question was a little different. I wasn't
13 necessarily asking you about what your awareness is in
14 that regard. I just want to know at that meeting, or at
15 anytime when you spoke with Teoka about the patient
16 request based on race, did you ever say anything like,
17 you know, patient requests are honored all the time, or
18 different requests are honored?

19 A. I don't recall stating that.

20 Q. Okay.

21 A. If something like that were stated, it would have been
22 with -- in the vain of what I just shared.

23 Q. Okay. And you've already testified that nothing was
24 said at the meeting, nothing was said to suggest that
25 patient requests based on race were not honored by

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1 Beaumont, nobody said that at the meeting, did they?

2 A. No.

3 Q. After November 8, 2017 with regard to that issue
4 concerning the patient request based on race being
5 honored, did you do anything further with regard to
6 that?

7 A. No.

8 Q. And you don't know if any manager, or anybody else did
9 anything else, correct?

10 A. No, I'm not aware.

11 Q. And with regard to what Teoka Williams told you in the
12 e-mail and at the meeting, did you have any reason to
13 disbelieve what she told you happened?

14 A. No.

15 Q. In other words, let me be -- let me take a specific fact
16 out. Teoka talks about as she's leaving she hears the
17 patient say that she didn't want a black bitch to be her
18 nurse. Do you have any reason to disbelieve that that's
19 what was said?

20 A. No.

21 Q. Okay. This may sound redundant, but let me just ask you
22 so we can close the loop here. So, with regard to
23 patient requests being accommodated, and what Teoka
24 Williams had disclosed and reported, did you talk to
25 anybody who would have known or had any knowledge